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May 15, 2002

**Via Electronic Mail Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room TW-B204  
Washington, D.C. 20554

**Re:** *Ex Parte Presentation*  
Year 2000 Biennial Regulatory Review – WT Docket No. 01-108

Dear Ms. Dortch:

This letter serves as notification that on May 14, 2002, Luisa Lancetti and Roger Sherman (representing Sprint Corporation) met with Peter Tenhula (Senior Legal Advisor to Chairman Powell) and Maureen McLaughlin (of the Office of General Counsel) to discuss issues in the above-captioned proceeding. A copy of the presentation material discussed at the meeting is attached hereto.

Pursuant to Section 1.1206(b)(1) of the Commission rules, one copy of this letter is being filed with your office electronically. Please associate this letter with the file in the above-captioned proceeding.

Please contact us should you have questions concerning the foregoing.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a series of loops and a long horizontal stroke.

Luisa L. Lancetti

Attachment

cc: Peter Tenhula  
Maureen McLaughlin

**Year 2000 Biennial Review  
Elimination of AMPS Rule  
(WT Docket No. 01-108)**

**An Orderly Phase-Out of the AMPS Rule  
Would Best Serve the Public Interest**

Sprint  
*Ex Parte* Presentation  
May 14, 2002

## For Now, AMPS is the Glue that Holds Wireless Networks Together

- ◆ Congress has found that the “operation of seamless, ubiquitous, and reliable wireless telecommunications systems promote public safety and provide immediate and critical communications links among members of the public.” Wireless Communications & Public Safety Act of 1999, Pub. L. No. 106-81, § 2(a)(6).
- ◆ AMPS remains the predominant interface for roaming, both because of its ubiquitous coverage and because of incompatible 2G interfaces:

U.S. Geographic Coverage (Sixth Report, App. C, Table 7)

AMPS	95%*	iDEN	27%
TDMA	42%	GSM	22%
CDMA	35%		

- ◆ Without AMPS, consumers will be unable to make emergency 911 calls if in an area where their particular 2G handset is not supported.
- ◆ A significant base of legacy AMPS subscribers exists today. Over 40 million Americans – 38% of all mobile customers – were AMPS subscribers at the end of 2000 (Sixth Competition Report).
- ◆ The deaf and hard of hearing remain dependent on AMPS.
- ◆ Telematics and tracking systems rely on AMPS.

\* Although not listed on Sixth Report, Sprint PCS estimates AMPS geographic coverage to be over 95% (not including Alaska).

## **A National Transition Plan Is Necessary**

- ◆ Permitting each AMPS carrier to determine unilaterally when it will disable AMPS service would result in chaos – especially for roamers, AMPS legacy users, and 911 callers who will likely be unaware AMPS has been disabled in certain areas. For same reason, service quality rule (*i.e.*, 22.901) should be maintained.
- ◆ A national sunset date will facilitate the smooth transition from AMPS, because it will serve as the cornerstone for all consumer education programs.

**An orderly, *national* transition is necessary, given the critical role that AMPS plays in providing expansive coverage in today's wireless marketplace**

## **The Record Demonstrates Broad Consensus In Favor of Gradual Phase-Out of AMPS Requirement**

- ◆ Most parties favor a transition period before the AMPS rule is eliminated:

Verizon Wireless	National Organization on Disability	OnStar Corp.
CTIA	Telecom. for the Deaf	ATX Technologies
Rural Cellular Ass'n	Self Help for Hard of Hearing	Mercedes-Benz
Rural Telecom. Group	Council of Organizational Representatives	CaseNewHolland
Sprint PCS	National Ass'n of the Deaf	Deere & Company
CenturyTel Wireless	AG Bell Ass'n for the Deaf	EDS Corp.
U.S. Cellular	League for the Hard of Hearing	Independent Cellular Ass'n
Mid-Missouri Cellular	Wireless Consumers Alliance	Numerous small cellular carriers
Qwest Wireless	Numerous individual consumers	AARP

- ◆ Only three parties seek immediate elimination of the AMPS rule:

AT&T Wireless

Cingular

Ericsson

## **The Arguments in Favor of Immediate Repeal Lack Merit**

- ◆ FCC should rely on market forces (Cingular):

But the business needs of a particular AMPS carrier may not coincide with the needs of AMPS dependent customers – including 911 emergency callers, legacy users, the hard of hearing, roamers and telematics service providers.

- ◆ Repeal would free up spectrum for other services (Cingular):

But the largest cellular carrier has stated that AMPS repeal “will not free up a significant amount of spectrum for other uses” and will “not have a significant effect on the availability of spectrum in the markets where additional spectrum is needed most” (Comments of Verizon Wireless at 10).

- ◆ AMPS rule discourages new entrant network buildout (AWS and Cingular):

New entrants have had at most only six years to construct and expand their networks (vs. 17 years for cellular carriers). Based on available data, Sprint PCS installed more cell sites during its first five years than the entire cellular industry installed in its first 10 years. (Entire industry: 14,740/Sprint PCS 15,227 )

New entrants also face challenges that cellular carriers never faced. It currently takes almost 20 months on average for Sprint PCS to construct a new cell site (including collocations) due to delays in the zoning approval process. In some areas it takes even longer.

New entrants do not need an incentive for continued network buildout, especially given the roaming prices charged by certain cellular carriers. They need time.

## **The Appropriate Sunset Date**

◆ Many consumers will likely need an extended (five-year) transition period:

- It will take a year or two before the public learns of and understands the sunset date;
- Customers dependent upon AMPS will need time to find suitable alternatives and to adjust to new environment;
- Customers should not be required to discard AMPS equipment prematurely.

◆ Hard-of-hearing groups favor a longer transition:

Digital TTY issues should be addressed by June 2002, but there is a need for full field testing for reliability of digital services (National Association of the Deaf Reply Comments at 3). Moreover, there is no immediate solution to the hearing aid/digital handset compatibility issue. (See Docket No. 01-309 comments filed Jan 11, 2002)

- ◆ Telematics providers and some corporate users seek an even longer transition, to 2011 (AMPS installed in new vehicles through 2003; average life of vehicles is eight years).
- ◆ Roaming is currently dependent upon AMPS. Given the importance of roaming as a “safety-net” for mobile users, the AMPS rule should not be eliminated until multi-mode phones that allow for roaming on 2G networks are more widely deployed.

**FCC should establish a date which will allow for an orderly AMPS migration and customer education efforts.**

### **Core Elements of a National Transition Plan**

- ◆ The most important step is for the FCC to establish a national sunset date for mandatory provision so carriers, service providers and the public generally can prepare for transition.
- ◆ The FCC should retain the AMPS quality of service rule, Rule 22.901, to ensure that cellular carriers do not side-step the transition period by maintaining inadequate capacity to serve all AMPS customers.

Adoption of AMPS sunset date without corresponding quality of service standard would simply create a loophole whereby a carrier could do indirectly (provide inadequate AMPS capacity and service) what it cannot do directly (close its AMPS network altogether).

- ◆ FCC should monitor progress of AMPS migration in its annual CMRS competition reports or as part of its biennial review process.